

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-4 and 6-14 are pending in this application. Claims 1 and 9, which are independent, are hereby amended. Claim 5 has been canceled without prejudice or disclaimer of subject matter. It is submitted that these claims, as originally presented, were in full compliance with the requirements 35 U.S.C. §112. No new matter has been introduced by this amendment. Support for this amendment is provided throughout the Specification, specifically at page 10, first paragraph. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which the Applicant is entitled.

### **II. REJECTIONS UNDER 35 U.S.C. §103(a)**

Claims 1-4 and 6-14 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 5,945,987 to Dunn in view of U.S. Patent No. 6,134,547 to Huxley, et al. and further in view of U.S. Publication No. 2001/0056478 to Wheeler, et al.

Claim 1 recites, *inter alia*:

“...said user server operating to receive from the data server only program retrieval identification codes and only a select number of program retrieval identification codes

related to said at least one content keyword as a result of the searching by the data server.” (emphasis added)

As understood by Applicant, U.S. Patent No. 5,945,987 to Dunn (hereinafter merely “Dunn”) relates to interactive entertainment with a video-on-demand application which enable viewers to select criteria for grouping various video content programs into manageable sets for convenient review.

As understood by Applicant, U.S. Patent No. 6,134,547 to Huxley, et al. (hereinafter, merely “Huxley”) relates to computerized, user-interactive, multimedia cataloguing, navigation, and previewing film and films on video.

As understood by Applicant, U.S. Publication No. 2001/0056478 to Wheeler, et al. (hereinafter merely “Wheeler”) relates to an integrated system for coordinating a web site with a web browser using a storage medium local to the user.

Applicant submits that nothing has been found in Dunn, Huxley, or Wheeler, taken alone or in combination, that would teach or suggest the above-identified feature of claim 1. Specifically, Applicant submits that Dunn, Huxley, and Wheeler fail to teach or suggest that said user server operating to receive from the data server only program retrieval identification codes and only a select number of program retrieval identification codes related to said at least one content keyword as a result of the searching by the data server, as recited in claim 1.

More specifically, the cited portions of Dunn, specifically column 3, lines 16-20 and lines 28-30, disclose that a search finds the program data records of the criteria-satisfying programs. The program IDs are extracted from the records and used to cross-reference via the join table to corresponding trailer IDs. The trailer IDs are used to access other records which contain the trailer monikers of the preview video trailers for the video content programs that satisfy the viewer criteria. A manageable set of preview video trailers are selectively grouped

for transmission to the requesting user interface unit. The program data records, including the program IDs and monikers and the trailer IDs and monikers are then transferred. The set of preview video trailers are also transferred in sequential order for display on the viewer's television set.

Such disclosure does not render claim 1 unpatentable.

Therefore independent claim 1 is patentable.

For reason similar to those above, claim 9 is also patentable.

### **III. DEPENDENT CLAIMS**

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

### **CONCLUSION**


In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Please charge any additional fees that may be needed, and credit any  
overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicant

By   
Thomas F. Presson  
Reg. No. 41,442  
(212) 588-0800